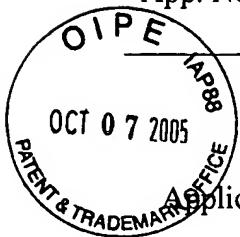


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TERMINAL DISCLAIMER UNDER 37 CFR § 1.321

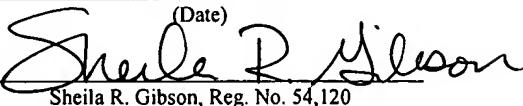
Applicant : Bar-Eli et al.
 App. No : 10/660,357
 Filed : September 10, 2003
 For : USE OF ANTIBODIES AGAINST THE
 MUC18 ANTIGEN
 Examiner : Blanchard, David J.
 Art Unit : 1642

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

October 5, 2005

(Date)


Sheila R. Gibson, Reg. No. 54,120

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 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Disclaimer by Assignees

Assignees, Abgenix, Inc. and Board of Regents, The University of Texas System (“Assignees”), hereby disclaim, except as provided below, the terminal part of any patent granted on the above-referenced application which would extend beyond the expiration date of the full statutory term of any patent issuing from U.S. Patent Application No. 10/330,530, and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that the above-identified application and any patent issuing from U.S. Patent Application No. 10/330,530 are co-owned. This agreement extends to any patent granted on the above-referenced application and shall be binding on its successors or assigns.

Assignees do not disclaim any terminal part of any patent granted on the above-referenced application prior to the earlier of the expiration date of the full statutory term of any patent issuing from U.S. Patent Application No. 10/330,530, and that of any patent issuing on the above-identified application in the event that either one later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its full statutory term, except for the separation of legal title stated above.

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Right of Assignees and Ownership

In accordance with 37 C.F.R. § 3.73(b), Assignees are the owners of a 100 percent interest in the above-identified application and co-owned, Application No. 10/330,530. The assignment of the above-referenced application from Larry L. Green to Abgenix, Inc. is recorded at Reel No. **014716**, Frame No. **0509** by the Assignment Branch of the Patent and Trademark Office. The assignment of the above-referenced application from Menashe Bar-Eli to Board of Regents, The University of Texas System is recorded at Reel No. **014716**, Frame No. **0511**. The assignment of Application No. 10/330,530 from Jean Gudas to Abgenix, Inc. is recorded at Reel No. **013911**, Frame No. **0854** by the Assignment Branch of the Patent and Trademark Office. A copy of the assignment of Application No. 10/330,530 from Larry L. Green to Abgenix, Inc. is attached and was forwarded to the Assignment Branch of the Patent and Trademark Office on September 9, 2005. A copy of the assignment of Application No. 10/330,530 from Menashe Bar-Eli to Board of Regents, The University of Texas System is attached and was forwarded to the Assignment Branch of the Patent and Trademark Office on September 9, 2005. The Assignees represent that, to the best of Assignees' knowledge and belief, title is in the Assignees seeking to take action.

Empowerment of Attorney

Pursuant to 37 C.F.R. 1.321(a) the undersigned attorney of record is empowered to act on behalf of the Assignees, by virtue of a Power of Attorney.

This Terminal Disclaimer is accompanied by the \$130 fee set forth in 37 C.F.R. § 1.20(d).

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR LLP

Date: October 5, 2005


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